
IN THE HOUSE OF REPRESENTATIVES.

FEBRUARY 4, 1871.

Read twice, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. INGERSOLL, on leave, introduced the following bill :

A BILL

To divide the State of Illinois into three judicial districts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the State of Illinois be, and the same is hereby, divided
4 into three judicial districts, as follows, to wit: The counties
5 of Whiteside, Lee, La Salle, Livingston, Ford, and Iroquois,
6 together with all that part of the State lying north of said
7 counties, shall compose and be known as the northern district
8 of Illinois. The counties of Adams, Brown, Cass, Menard,
9 Logan, McLean, Champaign, and Vermillion, together with
10 all that part of the said State lying south of said last-men-
11 tioned counties, shall compose and be known as the southern
12 district of Illinois. And all the residue of said State shall

13 compose and be known as the western district of Illinois.
 14 And courts shall be held for said northern district at Chicago;
 15 for said southern district at Springfield and Cairo; and for
 16 said western district at Peoria, in said State.

1 SEC. 2. *And be it further enacted,* That there shall be
 2 two terms of the district court held for said western district
 3 at the city of Peoria on the first of and
 4 in each year.

1 SEC. 3. *And be it further enacted,* That all suits, pro-
 2 cess, and proceedings of whatever name or nature, now pend-
 3 ing in the circuit or district courts of the United States for
 4 the northern and southern districts of Illinois, shall be tried,
 5 returned, proceeded in, and disposed of in the circuit and dis-
 6 trict courts of said northern and southern districts respectively,
 7 in all respects as if this act had not been passed: *Provided,*
 8 That upon the application of any party to any suit now pend-
 9 ing and undisposed of in either of said districts, which would
 10 have been commenced in the western district if this act had
 11 been in force before the commencement of said suit, the proper
 12 court in said northern or southern district may and, if all parties
 13 consent, shall order that the same be removed for further pro-
 14 ceedings, and final judgment, order, or decree, to the proper
 15 court for the said western district; and thereupon the proper
 16 clerk of said northern or southern district shall transmit all
 17 the papers in the cause, with a transcript of the journal entries,

18 including the order of removal therein, to the clerk of the
19 proper court in said western district; and all further proceed-
20 ings shall be had therein in the court or courts of said western
21 district as if the suit had been originally commenced therein.

1 SEC. 4. *And be it further enacted*, That final process
2 upon any final order, judgment, or decree entered in the cir-
3 cuit or district court of the United States for the northern
4 or the southern district aforesaid, and all other process and pro-
5 ceedings, direct or collateral, for the enforcement thereof, or
6 of any interlocutory order or rule of said courts respectively,
7 in any cause now pending therein, except in causes removed
8 as hereinbefore provided, shall be issued from, made return-
9 able to, and had in the proper court of said northern or
10 southern district respectively, and such process may be served
11 and executed by the marshals of said districts respectively, as
12 if this act had not been passed.

1 SEC. 5. *And be it further enacted*, That there be appointed
2 a district judge for the said western district of Illinois, who
3 shall possess the same powers, and do and perform all such
4 duties in his district as are now exercised by, or enjoined upon,
5 or in any wise appertaining to, the present district judges for
6 the northern and southern districts of Illinois respectively;
7 and said district judge shall be entitled to the same compen-
8 sation as by law is provided for the present district judges in
9 said State.

1 SEC. 6. *And be it further enacted,* That there be ap-
2 pointed one person as district attorney, one person as clerk of
3 said courts, and one person as marshal for said western district,
4 whose qualifications, manner, and terms of appointment and
5 service, as well as whose duties and emoluments, shall be the
6 same with those respectively appertaining to the like officers
7 in the present districts of said State.

1 SEC. 7. *And be it further enacted,* That all suits here-
2 after to be brought in either of said districts not of a local
3 nature shall be brought in the proper court of the district
4 where the defendant resides, but if there be more than one
5 defendant, and the defendants reside in different districts, the
6 plaintiff may sue in either, and send duplicate writs against
7 the defendants in the other districts, directed to the marshals
8 thereof respectively, which writs shall be executed by said
9 marshals respectively, and returned to the court or clerk's
10 office from which the same were issued ; and if service has
11 been had upon any defendant resident of the district in which
12 the suit is brought, the suit shall proceed to final judgment
13 or decree against all the defendants as if all resided in said
14 district.

1 SEC. 8. *And be it further enacted,* That until permanent
2 places are designated and provided, in pursuance of law, it
3 shall be the duty of the marshal of said western district
4 to provide suitable rooms and places for holding said court at

5 Peoria, the reasonable expenses thereof to be paid from
6 moneys heretofore, or which may hereafter be, appropriated
7 for the judicial branch and service of the Government.

1 SEC. 9. *And be it further enacted*, That all acts and
2 parts of acts inconsistent with the provisions of this act be,
3 and the same are hereby repealed: *Provided*, That the ninth
4 census shall be completed in all respects as if this act had
5 not been passed: *And provided further*, That nothing herein
6 shall affect existing officers nor existing laws, except as herein
7 modified.